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AMENDMENTS TO LB 125

1 1. Insert the following new section:

2 "Sec. 2. Section 44-704, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 44-704. (1) Except as provided in subsection (2) of this
5 section, no policy of insurance shall be issued upon the person of
6 any individual except upon the application of the individual
7 insured or with the written consent of the individual insured.
8 Nothing in this section shall be deemed to prohibit the immediate
9 transfer or assignment of a life insurance policy or annuity
10 contract so issued.

11 (2) Notwithstanding the provisions of subsection (1) of
12 this section, (a) a husband or wife may effectuate a policy of
13 insurance upon the person of the other and (b) any person may
14 effectuate a policy of insurance upon the person of a child.

15 (3) The term policy of insurance as used in this section
16 shall include any life insurance policy, annuity contract, and
17 contract of sickness and accident insurance but shall not include a
18 contract of group life insurance or a contract of blanket or group
19 sickness and accident insurance.

20 (4) Nothing in Chapter 44 shall prohibit an organization
21 or entity described in section 501(c)(3) of the Internal Revenue
22 Code or to whom a charitable contribution could be made under
23 section 170(c) of the code or a trust all of whose beneficiaries
24 are organizations or entities described in section 501(c)(3) of the

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1 code or to whom a charitable contribution could be made under
2 section 170(c) of the code from procuring, effectuating, or causing
3 to be procured or effectuated the ownership of any life insurance
4 policy or annuity contract upon the life of an individual if such
5 individual gives written consent to the issuance of such policy or
6 contract when such organization, entity, or trust is the ~~original~~
7 owner of such policy or contract. Nothing in Chapter 44 shall
8 require such organization, entity, or trust to have an insurable
9 interest as defined in section 44-103 in the life of such
10 individual in order for a policy or contract to be procured or
11 effectuated pursuant to this subsection. This subsection shall
12 apply to all policies and contracts in force on or after April 16,
13 1992. The changes made to this subsection by this legislative bill
14 shall apply to all policies and contracts in force on or after the
15 effective date of this act.

16 (5) Except as provided in subsection (4) of this section,
17 nothing in this section shall be construed to permit a person to
18 procure, effectuate, or cause to be procured or effectuated,
19 directly or by assignment or otherwise, any policy of insurance
20 upon the person of a child or other individual unless the benefits
21 under such policy are payable to the child or other individual
22 insured, to his or her personal representative, or to a person
23 having, at the time such policy is issued, an insurable interest in
24 the child or other individual insured.".

25 2. On page 12, line 3, after "Original" insert "section
26 44-704, Reissue Revised Statutes of Nebraska, and"; and in line 4
27 strike "is" and insert "are".

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- 1 3. Renumber the remaining sections accordingly.